IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 18851 of 2007(T)

PETITIONERS:

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1. MARY CHACKO, PURAYIDATHIL,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

2. THOMAS CHENNAPPALLIL, S/O LATE AUGUSTY,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

3. GEORGE CHENNAPPALLIL,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

4. MATHEW ALAKKARAYIL,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

5. JOSEPH NARIMATTOM,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

6. AUGUSTHY MANDAPAM,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

7. MATHEW CHENNELIL,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

8. ROSAMMA JOSE, VELLOOR HOUSE,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

9. GEORGE THOMAS KOTTAYIL(MAPPUTHONDIYIL),
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

10. JOSEPH THAMARAKKATTU,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

11. MARY JOSEPH THAMARAKKATTU,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

12. ROY C.L., CHALIL HOUSE,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

13. MARY PULLOLIL,
PALATHINKADAVU, KACHERIKKADAVU P.O.,
KANNUR DISTRICT.

BY ADV. SRI.J.S.AJITHKUMAR

RESPONDENTS:
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1. THE STATE OF KERALA REPRESENTED BY ITS
SECRETARY TO GOVERNMENT,
REVENUE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE KERALA STATE ELECTRICITY BOARD,
VYDHUDI BHAVAN, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
SECRETARY.

3. THE DISTRICT COLLECTOR,
KANNUR.

4. THE EXECUTIVE ENGINEER,
BARAPOL HYDRO ELECTRIC PROJECT,
P.O.KOOTTUPUZHA, KANNUR DISTRICT.

R1 & R3 BY G.P. SHRI BASANT BALAJI
R2 & R4 BY ADV. SRI.P.P.THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIHIBITS:

EXT.P1 A TRUE COPY OF THE COMMUNICATION ISSUED TO THE 1ST PETITIONER ON 7.2.2007

EXT.P2 TRUE COPY OF THE COMMUNICATION DATED 21.2.2007

EXT.P3 TRUE COPY OF THE COMMUNICATION DATED 14.3.2007 ISSUED IN FAVOUR OF THE FIRST PETITIONER

EXT.P4 TRUE COPY OF THE REPRESENTATION SUBMITTED BEFORE THE HON'BLE REVENUE MINISTER DATED 28.3.2007

EXT.P5 TRUE COPY OF THE PAPER REPORT REPORTED IN MATHRUBHOOMI DAILY DATED 30.3.2007

EXT.P6 TRUE COPY OF THE COMMUNICATION ISSUED BY THE PRIVATE SECRETARY TO THE MINISTER FOR POWER

EXT.P7 TRUE COPY OF THE NEWS ITEM APPEARED IN THE DESABHIMANI DAILY DATED 10.4.2007

EXT.P8 TRUE COPY OF THE MASS PETITION SUBMITTED ON 24.5.2007

EXT.P9 TRUE COPY OFTHE COMMUNICATION ISSUED BY THE 4TH RESPONDENT ON 30.5.2007

EXT.P10 TRUE COPY OF THE COMMUNICATION ISSUED TO FR.THOMAS KIDARATHIL DATED 7.6.2007

EXT.P11 TRUE COPY OF THE ORDER DATED 10.3.2007 OF THE DISTRICT COLLECTOR KANNUR PURSUANT TO THE PURCHASE COMMITTEE MEETING DATED 9.3.2007 REFERRED TO IN EXT.P10

EXT.P12 TRUE COPY OF THE CONSENT FORM ALLEGED TO HAVE SIGNED BY THE 11TH PETITIONER

//TRUE COPY//

K. PADMANABHAN NAIR, J.

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W.P(C) NO. 18851 OF 2007

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Dated this the 6th day of December, 2007

J U D G M E N T

When the Writ Petition is taken up for hearing, Shri P.P.Thajudeen, learned Standing Counsel appearing for respondents 2 and 4 submits that of the total land required for the Hydro Electric Project, 55% of the land was purchased on negotiation and remaining land will be acquired in accordance with the provisions of the Land Acquisition Act. Standing Counsel further submits that respondents 2 and 4 have no intention to take forcible possession of any person's land. The submissions made by the Standing Counsel are recorded.

In view of the submissions made, no further orders are necessary in this Writ Petition. Writ Petition is disposed of recording the undertaking made by the Standing Counsel for respondents 2 and 4.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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M.F.A.

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J U D G M E N T

TH DECEMBER, 2007